

- [Query](#)
- [Reports](#)
- [Utilities](#)
- Help
- [Log Out](#)

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:17-cv-05363-RJD-RML**

Makuhari Media LLC et al v. Federal Bureau Of Investigation
Assigned to: Judge Raymond J. Dearie
Referred to: Magistrate Judge Robert M. Levy
Case in other court: New York Southern, 1:17-cv-03081
Cause: 05:552 Freedom of Information Act

Date Filed: 09/13/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Makuhari Media LLC

represented by **Daniel Novack**
Law Office of Daniel R. Novack
4 New York Plaza
2nd Floor
New York, NY 10004
(201)213-1425
Fax: (347)578-8813
Email: dan@novackmedialaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel M. Leaf
The Law Office of Samuel M. Leaf, LLC
325 East 57th Street
New York, NY 10022
646-584-4486
Fax: 203-221-0498
Email: sleaf@samuelmleaf.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Richard Novack
Law Office of Daniel R. Novack
4 New York Plaza
2nd Floor
New York, NY 10004
201-213-1425
Email: dan@novackmedialaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Ryan Rodenberg
TERMINATED: 05/04/2017

represented by **Daniel Richard Novack**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Federal Bureau of Investigationrepresented by **Matthew J. Modaffer**

US Attorney's Office/EDNY
271a Cadman Plaza East
Brooklyn, NY 11201
(718)254-6229
Fax: (718)254-6081
Email: matthew.modaffer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Seth D. Eichenholtz
United States Attorneys Office
271 Cadman Plaza East
Brooklyn, NY 11201
718-254-7036
Fax: 718-254-6081
Email: seth.eichenholtz@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel Hilliard Dolinger
U.S. Attorney's Office, SDNY
86 Chambers Street, 3rd Floor
New York, NY 10007
(212) 637-2677
Email: samuel.dolinger@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/27/2017	1	COMPLAINT against Federal Bureau Of Investigation. (Filing Fee \$ 400.00, Receipt Number 0208-13593913) Document filed by Makuhari Media LLC, Ryan Rodenberg. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/27/2017)
04/27/2017	2	CIVIL COVER SHEET filed. (Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/27/2017)
04/27/2017	3	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Makuhari Media LLC.(Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/27/2017)
04/27/2017	4	REQUEST FOR ISSUANCE OF SUMMONS as to Federal Bureau of Investigation, re: 1 Complaint,. Document filed by Makuhari Media LLC, Ryan Rodenberg. (Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/27/2017)
04/28/2017		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Richard J. Sullivan. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (jvs) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/28/2017)
04/28/2017		Magistrate Judge Gabriel W. Gorenstein is so designated. (jvs) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/28/2017)
04/28/2017		Case Designated ECF. (jvs) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/28/2017)
04/28/2017		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Daniel Richard Novack. The party information for the following party/parties has been modified: Dr. Ryan Rodenberg. The information for the party/parties has been modified for the following reason/reasons: party text was omitted. (jvs) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/28/2017)

04/28/2017	5	ELECTRONIC SUMMONS ISSUED as to Federal Bureau Of Investigation. (jvs) [Transferred from New York Southern on 9/13/2017.] (Entered: 04/28/2017)
05/02/2017	6	FILING ERROR - PDF ERROR - AMENDED COMPLAINT amending 1 Complaint, against Federal Bureau Of Investigation.Document filed by Makuhari Media LLC. Related document: 1 Complaint, filed by Makuhari Media LLC, Ryan Rodenberg. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Novack, Daniel) Modified on 5/3/2017 (pc). [Transferred from New York Southern on 9/13/2017.] (Entered: 05/02/2017)
05/02/2017	7	FILING ERROR - DEFICIENT PLEADING - SUMMONS REQUESTED IS NOT AN AMENDED SUMMONS - REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to Federal Bureau of Investigation, re: 6 Amended Complaint,. Document filed by Makuhari Media LLC. (Novack, Daniel) Modified on 5/3/2017 (pc). [Transferred from New York Southern on 9/13/2017.] (Entered: 05/02/2017)
05/03/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Daniel Richard Novack to RE-FILE Document No. 6 Amended Complaint., The filing is deficient for the following reason(s): Caption title must indicate "Amended Complaint". Re-file the pleading using the event type Amended Complaint found under the event list Complaints and Other Initiating Documents - attach the correct signed PDF - select the individually named filer/filers - select the individually named party/parties the pleading is against. (pc) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/03/2017)
05/03/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney to RE-FILE Document No. 7 Request for Issuance of Amended Summons., The filing is deficient for the following reason(s): Please include the word "Amended" in front of "Summons in a Civil Action". Re-file the document using the event type Request for Issuance of Amended Summons found under the event list Service of Process - select the correct filer/filers - and attach the correct summons form PDF. (pc) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/03/2017)
05/03/2017	8	AMENDED COMPLAINT amending 1 Complaint, against Federal Bureau Of Investigation.Document filed by Makuhari Media LLC. Related document: 1 Complaint, filed by Makuhari Media LLC, Ryan Rodenberg. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/03/2017)
05/03/2017	9	FILING ERROR - DUPLICATE DOCKET ENTRY AMENDED COMPLAINT amending 1 Complaint, against Federal Bureau Of Investigation.Document filed by Makuhari Media LLC. Related document: 1 Complaint, filed by Makuhari Media LLC, Ryan Rodenberg. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Novack, Daniel) Modified on 5/4/2017 (pc). [Transferred from New York Southern on 9/13/2017.] (Entered: 05/03/2017)
05/03/2017	10	REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to Federal Bureau of Investigation, re: 8 Amended Complaint,. Document filed by Makuhari Media LLC. (Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/03/2017)
05/04/2017	11	ELECTRONIC AMENDED SUMMONS ISSUED as to Federal Bureau Of Investigation. (pc) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/04/2017)
05/08/2017	12	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,. Federal Bureau Of Investigation served on 5/8/2017, answer due 7/7/2017. Service was made by Mail. Document filed by Makuhari Media LLC. (Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/08/2017)

05/09/2017	13	ORDER: Accordingly, it is hereby ordered that the parties shall appear for an initial conference on Friday, July 14, 2017 at 9:45 a.m. in Courtroom 905 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York. It is further ordered that, by July 7, 2017, the parties shall jointly submit a letter, not to exceed five (5) pages, providing the following information in separate paragraphs: as further set forth in this order. It is further ordered that, by July 7, 2017, the parties shall submit to the Court a proposed case management plan and scheduling order. A template for the order is available at : http://www.nysd.uscourts.gov/judge/Sullivan . The status letter and the proposed case management plan should be filed on ECF and emailed to my Chambers at the following address: sullivanNYSDchambers@nysd.uscourts.gov .Please consult my Individual Rules with respect to communications with Chambers and related matters. Plaintiff shall serve Defendant with a copy of this Order and file a certificate of service on ECF indicating that this service was effectuated. Defendant shall thereafter file a notice of appearance through ECF. So Ordered (Initial Conference set for 7/14/2017 at 09:45 AM in Courtroom 905, 40 Centre Street, New York, NY 10007 before Judge Richard J. Sullivan.) (Signed by Judge Richard J. Sullivan on 5/8/2017) (js) [Transferred from New York Southern on 9/13/2017.] (Entered: 05/09/2017)
06/08/2017	14	NOTICE OF APPEARANCE by Samuel Hilliard Dolinger on behalf of Federal Bureau Of Investigation. (Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 06/08/2017)
06/08/2017	15	CERTIFICATE OF SERVICE (FOIA CASE). Document filed by Makuhari Media LLC. (Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 06/08/2017)
06/09/2017	16	ANSWER to 8 Amended Complaint,. Document filed by Federal Bureau Of Investigation.(Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 06/09/2017)
07/07/2017	17	LETTER addressed to Judge Richard J. Sullivan from Samuel Dolinger dated 7/7/2017 re: the parties' letter in advance of initial conference scheduled for July 14, 2017. Document filed by Federal Bureau Of Investigation.(Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 07/07/2017)
07/14/2017		Minute entry for initial pretrial conference held before Judge Richard J. Sullivan on 7/14/2017 at approximately 9:45 a.m. Daniel Richard Novack for Plaintiff. Samuel Hilliard Dolinger for Defendant. The Court directed Defendant to submit a pre-motion letter consistent with Rule 2A of the Court's Individual Rules and Practices no later than Wednesday, July 19, 2017. Plaintiff shall submit a response by Monday, July 24, 2017. (Ruben, Ari) [Transferred from New York Southern on 9/13/2017.] (Entered: 07/14/2017)
07/19/2017	18	LETTER MOTION for Conference <i>regarding FBI's proposed motion to transfer venue</i> addressed to Judge Richard J. Sullivan from Samuel Dolinger dated 7/19/2017. Document filed by Federal Bureau Of Investigation.(Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 07/19/2017)
07/24/2017	19	LETTER RESPONSE in Opposition to Motion addressed to Judge Richard J. Sullivan from MAKUHARI MEDIA LLC dated 7/24/17 re: 18 LETTER MOTION for Conference <i>regarding FBI's proposed motion to transfer venue</i> addressed to Judge Richard J. Sullivan from Samuel Dolinger dated 7/19/2017. . Document filed by Makuhari Media LLC. (Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 07/24/2017)
07/26/2017	20	LETTER addressed to Judge Richard J. Sullivan from Samuel Dolinger dated 7/26/2017 re: parties' proposed resolution of venue issue. Document filed by Federal Bureau Of Investigation.(Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 07/26/2017)

07/31/2017	21	ORDER terminating 18 Letter Motion for Conference. IT IS HEREBY ORDERED THAT Plaintiff shall file an amended complaint by August 4, 2017 and Defendant shall file an amended answer no later than August 11, 2017. In their joint letter, the parties also request that this matter be stayed until September 8, 2017, at which time the parties will update the Court on the status of ongoing discussions about "the processing and production of responsive, nonexempt records" and the parties' attempts to "narrow the scope of the records responsive to Plaintiff's request." This request is DENIED. Instead, IT IS FURTHER ORDERED that by August 25, 2017, the parties shall submit a joint letter of no more than five pages explaining why the Court should not transfer this action under 28 U.S.C. § 1404(a) to the Eastern District of New York where the majority of responsive records appear to be located. <i>E.g., Housley v. Dep't of Justice</i> , No. 89-0436 (CRR), 1989 WL 1842263, at* 1 (D.D.C. Nov. 13, 1989). The Clerk of Court is respectfully directed to terminate the motion pending at docket number 18. (Signed by Judge Richard J. Sullivan on 7/31/2017) (ras) [Transferred from New York Southern on 9/13/2017.] (Entered: 08/01/2017)
07/31/2017		Set/Reset Deadlines: Amended Pleadings due by 8/4/2017. (ras) [Transferred from New York Southern on 9/13/2017.] (Entered: 08/01/2017)
08/02/2017	22	SECOND AMENDED COMPLAINT amending 8 Amended Complaint, 1 Complaint, against Federal Bureau Of Investigation.Document filed by Makuhari Media LLC. Related document: 8 Amended Complaint, 1 Complaint,. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Novack, Daniel) [Transferred from New York Southern on 9/13/2017.] (Entered: 08/02/2017)
08/09/2017	23	ANSWER to 22 Amended Complaint,. Document filed by Federal Bureau Of Investigation.(Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 08/09/2017)
08/25/2017	24	LETTER addressed to Judge Richard J. Sullivan from Samuel Dolinger dated 8/25/2017 re: the parties' joint letter in response to the Court's order concerning transfer under 28 U.S.C. § 1404(a). Document filed by Federal Bureau Of Investigation.(Dolinger, Samuel) [Transferred from New York Southern on 9/13/2017.] (Entered: 08/25/2017)
09/01/2017	25	ORDER: IT IS HEREBY ORDERED THAT, for the reasons set forth above, the Clerk of the Court is respectfully directed to TRANSFER the above-entitled action to the Eastern District of New York. (Signed by Judge Richard J. Sullivan on 9/1/2017) (mro) [Transferred from New York Southern on 9/13/2017.] (Entered: 09/05/2017)
09/01/2017		CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court - District of Eastern District of New York (mro) [Transferred from New York Southern on 9/13/2017.] (Entered: 09/08/2017)
09/13/2017	26	Case transferred in from District of New York Southern; Case Number 1:17-cv-03081. Original file certified copy of transfer order and docket sheet received. (Entered: 09/13/2017)
09/13/2017		The case of Makuhari Media LLC et al v. Federal Bureau of Investigation , has been transferred from Southern District to the Eastern District of New York. The new case number is 17cv5363 . PLEASE NOTE: if you plan to continue representing your client(s), you must be admitted to practice before this court. You must do so by applying for Pro Hac Vice or permanent admission. To apply for Pro Hac Vice admission, you must first register for an ECF login and password. Please visit the Court's website at www.nyed.uscourts.gov/attorney-admissions for guidance. Once registered, you must electronically file a Motion to Appear Pro Hac Vice. You must pay the required pro hac vice fee online. (Bowens, Priscilla) (Entered: 09/13/2017)
09/13/2017	27	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that if all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Bowens, Priscilla) (Entered: 09/13/2017)
09/14/2017	28	NOTICE of Appearance by Seth D. Eichenholtz on behalf of Federal Bureau of Investigation (aty to be noticed) (Eichenholtz, Seth) (Entered: 09/14/2017)
10/20/2017	29	MOTION for Hearing <i>Scheduling Conference</i> by Makuhari Media LLC. (Novack, Daniel) (Entered: 10/20/2017)

01/03/2018	30	SCHEDULING ORDER: Initial Conference set for 2/7/2018 at 10:00 AM in Courtroom 11B South before Magistrate Judge Robert M. Levy. Ordered by Magistrate Judge Robert M. Levy on 1/3/2018. See attached Order for details. (Marino, Janine) (Entered: 01/03/2018)
01/03/2018		ORDER granting 29 Motion for Initial Conference. Ordered by Magistrate Judge Robert M. Levy on 1/3/2018. (Marino, Janine) (Entered: 01/03/2018)
02/01/2018		SCHEDULING ORDER: The initial conference scheduled for February 7, 2018 at 10:00 AM will be held by telephone at (718) 613-2340. Plaintiffs' counsel is directed to initiate the conference call. Ordered by Magistrate Judge Robert M. Levy on 2/1/2018. (Marino, Janine) (Entered: 02/01/2018)
02/06/2018	31	NOTICE of Appearance by Samuel M. Leaf on behalf of Makuhari Media LLC (aty to be noticed) (Leaf, Samuel) (Entered: 02/06/2018)
02/07/2018		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Samuel M. Leaf for plaintiff; Seth D. Eichenholtz for defendant. The parties informed the court that because this is a FOIA case, no discovery is planned. The parties will file their initial conference questionnaire by 2/9/18, which will include proposed dates for the filing of dispositive motions. The parties will inform the court should they believe scheduling a settlement conference would be useful. Telephone Conference held on 2/7/2018 (Baran, Hugh) (Entered: 02/07/2018)
02/08/2018	32	<i>Letter to Judge Levy requesting that the Court set April 16, 2018 as the deadline by which the parties can send a letter to Judge Dearie requesting leave to file a dispositive motion and noting plaintiff's objection to the request by Federal Bureau of Investigation (Attachments: # 1 Proposed Scheduling Order with Defendant's Proposed Deadline)</i> (Eichenholtz, Seth) (Entered: 02/08/2018)
02/08/2018	33	Letter <i>Letter to Hon. Robert Levy</i> by Makuhari Media LLC (Leaf, Samuel) (Entered: 02/08/2018)
02/23/2018		ELECTRONIC BRIEFING ORDER: Having reviewed the parties' letters on this issue 32 33 , the Court waives the requirement of a pre-motion conference as to the FBI's proposed summary judgment motion. The FBI shall file its summary judgment motion by April 16, 2018, with Plaintiff's opposition due on May 7, 2018, and the FBI's reply due on May 21, 2018. The parties are reminded of their obligation to consult with Judge Dearie's Individual Rules and Motion Practices for these and all other submissions. So Ordered by Judge Raymond J. Dearie on 2/23/2018. (Please note that this order was re-created on 3/9/2018 due to a clerical error on 2/23/18 giving it document number 34, this was an electronic order no document was attached. In light of this error, there will be no document number 34 in this case.) (Mulqueen, Ellen) (Entered: 03/09/2018)
02/26/2018	35	Consent MOTION for Extension of Time to File <i>the FBI's motion for summary judgment and that the Court adopt the following proposed briefing schedule: FBI's motion is due on April 30, 2018, plaintiff's opposition is due on May 21, 2018, and the FBI's reply is due on May 29, 2018</i> by Federal Bureau of Investigation. (Eichenholtz, Seth) (Entered: 02/26/2018)
03/01/2018		ORDER granting FBI's Motion for Extension of Time to File 35 : the FBI's motion for summary judgment shall be due on April 30, 2018, with Plaintiff's opposition due on May 21, 2018, and the FBI's reply due on May 29, 2018. So Ordered by Judge Raymond J. Dearie on 3/1/2018. (Metz-Dworkin, Abra) (Entered: 03/01/2018)
04/25/2018	36	NOTICE of Appearance by Matthew J. Modafferri on behalf of Federal Bureau of Investigation (aty to be noticed) (Modafferri, Matthew) (Entered: 04/25/2018)
04/30/2018	37	<i>Letter as cover to Defendant's motion for summary judgment</i> by Federal Bureau of Investigation (Modafferri, Matthew) (Entered: 04/30/2018)
05/21/2018	38	Consent MOTION for Extension of Time to File Response/Reply (<i>Plaintiff's opposition and Defendant's reply</i>) by Federal Bureau of Investigation. (Modafferri, Matthew) (Entered: 05/21/2018)
05/24/2018		ELECTRONIC ORDER granting 38 Consent Motion for Extension of Time to File Response/Reply. Court approves revised briefing schedule as follows: Plaintiff's opposition due 5/23/2018; defendant's reply due 6/4/2018. So Ordered by Judge Raymond J. Dearie on 5/24/2018. (Mulqueen, Ellen) (Entered: 05/24/2018)
05/24/2018	39	<i>Letter as cover to Plaintiff's opposition to Defendant's motion for summary judgment</i> by Makuhari Media LLC (Leaf, Samuel) (Entered: 05/24/2018)
06/04/2018	40	MOTION for Summary Judgment by Federal Bureau of Investigation. (Modafferri, Matthew) (Entered: 06/04/2018)

06/04/2018	41	AFFIDAVIT/DECLARATION in Support re 40 MOTION for Summary Judgment by David M. Hardy filed by Federal Bureau of Investigation. (Attachments: # 1 Exhibit A through K, # 2 Exhibit L) (Modafferi, Matthew) (Entered: 06/04/2018)
06/04/2018	42	RULE 56.1 STATEMENT re 40 MOTION for Summary Judgment filed by Federal Bureau of Investigation. (Modafferi, Matthew) (Entered: 06/04/2018)
06/04/2018	43	MEMORANDUM in Support re 40 MOTION for Summary Judgment filed by Federal Bureau of Investigation. (Modafferi, Matthew) (Entered: 06/04/2018)
06/04/2018	44	REPLY in Support re 40 MOTION for Summary Judgment filed by Federal Bureau of Investigation. (Attachments: # 1 Appendix A) (Modafferi, Matthew) (Entered: 06/04/2018)
06/08/2018	45	MEMORANDUM in Opposition to <i>Plaintiff's Motion for Summary Judgment</i> filed by Makuhari Media LLC. (Attachments: # 1 Affidavit Affidavit of Samuel M. Leaf in Opposition to Defendant's Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment) (Leaf, Samuel) (Entered: 06/08/2018)
06/19/2018	46	REPLY in Support re 40 MOTION for Summary Judgment filed by Makuhari Media LLC. (Leaf, Samuel) (Entered: 06/19/2018)
06/29/2018	47	Letter <i>enclosing courtesy copies of Plaintiffs' reply brief in support of motion for summary judgment</i> by Makuhari Media LLC (Leaf, Samuel) (Entered: 06/29/2018)
09/14/2018		ELECTRONIC SCHEDULING ORDER: re 40 MOTION for Summary Judgment filed by Federal Bureau of Investigation. Counsel are advised that ORAL ARGUMENT is scheduled for 11/2/2018 at 12:00 PM in Courtroom 10A South before Judge Raymond J. Dearie. So Ordered by Judge Raymond J. Dearie on 9/14/2018. (Mulqueen, Ellen) (Entered: 09/14/2018)
11/02/2018		Minute Entry for proceeding held before Judge Raymond J. Dearie: Case called for Oral Argument on 11/2/2018 re 40 MOTION for Summary Judgment filed by Federal Bureau of Investigation. Daniel Novack appears as counsel for plaintiff. AUSA Matthew Modafferi appears as counsel for deft. Argument heard. Decision reserved. (Court Reporter Rivka Teich.) (Mulqueen, Ellen) (Entered: 11/06/2018)
11/06/2018		NOTICE TO COUNSEL: In connection with the motions now pending, the Court invites the parties to submit short supplemental letters, to be filed promptly and no later than November 16, 2018, responding to the following: For Plaintiff: 1) What are the documents listed in the Vaughn Index which Plaintiff believes were improperly withheld or redacted under Exemptions 6 and 7(c) <i>other than</i> the 302s and other handwritten notes of interviews? For Defendant: 1) Which, if any, entries in the Vaughn Index are the Donaghy 302s? If none, please explain why the FBI considers those documents not responsive to Plaintiffs request. 2) Given that the Donaghy investigation concluded in 2007, please provide additional detail about the general nature of the ongoing/pending investigations discussed in relation to Exemption 7(A). (Garcez, Isabela) (Entered: 11/06/2018)
11/16/2018	48	Joint MOTION for Extension of Time to File <i>supplemental letters</i> by Federal Bureau of Investigation. (Modafferi, Matthew) (Entered: 11/16/2018)
11/16/2018		ELECTRONIC ORDER granting 48 Joint Motion for Extension of Time to File. So Ordered by Judge Raymond J. Dearie on 11/16/2018. (Mulqueen, Ellen) (Entered: 11/16/2018)
11/21/2018	50	Letter by Makuhari Media LLC (Novack, Daniel) (Entered: 11/21/2018)
11/28/2018	51	Letter <i>response (confidential)</i> by Federal Bureau of Investigation (Modafferi, Matthew) (Entered: 11/28/2018)
11/28/2018	52	Letter <i>to Hon. Raymond J. Dearie</i> by Makuhari Media LLC (Leaf, Samuel) (Entered: 11/28/2018)
11/28/2018	53	Letter <i>regarding the electronic order dated November 28, 2018</i> by Federal Bureau of Investigation (Modafferi, Matthew) (Entered: 11/28/2018)
02/25/2019	54	Letter <i>to Hon. Raymond J. Dearie</i> by Makuhari Media LLC (Leaf, Samuel) (Entered: 02/25/2019)
02/28/2019	55	Letter <i>in response to Plaintiff's submission to the Court on February 25, 2019</i> by Federal Bureau of Investigation (Modafferi, Matthew) (Entered: 02/28/2019)

03/29/2019	56	ORDER granting in part and denying in part 40 Motion for Summary Judgment. The FBI has met its burden of demonstrating in sufficient detail that it conducted an adequate search for records responsive to Makuhari's request and withheld information which logically fell under FOIA Exemptions 3, 7(A), 7(D) and 7(E) or was permissible under FOIA's segregability provision. Moreover, Plaintiff has failed to adduce any non-conclusory, tangible evidence showing the FBI's bad faith or that these exemptions should not apply. Therefore, Defendant's motion for summary judgment is granted and Plaintiffs cross-motion for summary judgment is denied with respect to the adequacy of the FBI's search and its assertion of the above listed exemptions. The FBI has also met its burden of demonstrating that it properly withheld the name and identifying information of third-parties other than Donaghy and his co conspirators, Battista and Martino, pursuant to Exemption 6 and 7(C). However, the FBI improperly asserted these exemptions to withhold the name and identifying information of Battista and Martino from responsive documents. Therefore, the FBI's motion for summary judgment is denied and Plaintiffs cross-motion for summary judgment is granted with respect to that information, and the FBI is ordered to disclose Battista and Martino 's name and identifying information in documents responsive to Makuhari 's request. So Ordered by Judge Raymond J. Dearie on 3/29/2019. (Almonte, Giselle) (Entered: 04/04/2019)
04/18/2019	57	MOTION for Reconsideration re 56 Order on Motion for Summary Judgment, ,,, , <i>Letter to Hon. Raymond J. Dearie</i> by Makuhari Media LLC. (Leaf, Samuel) (Entered: 04/18/2019)